

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	4:17 CR 36 RWS
)	
)	
JUSTIN X. CARROLL,)	
)	
Defendant.)	

**MOTION TO MAKE “EXHIBIT A” AVAILABLE AT PUBLIC TERMINAL OR, IN
THE ALTERNATIVE, TO COMPLY WITH LOCAL RULE 83-13.05(B)(4)**

Comes now the United States of America, by and through its attorneys, Carrie Costantin, Attorney for the United States, Acting Under Authority Conferred by 28 U.S.C. § 515 for the Eastern District of Missouri, and Robert F. Livergood, Assistant United States Attorney for said District, and files its motion to make “Exhibit A” available at the public terminal or, in the alternative, to comply with Local Rule 83-13.5(B)(4). For its response, the Government states the following:

On October 16, 2017, defendant filed his sentencing memorandum with “Exhibit A.” Exhibit A are letters in support of defendant. *See* (Doc. #42, Att. 1). Local Rule 83-13.05(B)(4) provides,

Except as otherwise provided in this paragraph, any written communication regarding any defendant by persons other than court-related personnel working on the case, the defendant, or counsel, submitted at any point before the defendant has been sentenced, will be made available for viewing at the public terminal in the clerk’s office. Any written communication received in paper form will be scanned and filed electronically in the appropriate case. Any party may file a motion, either at or after the time any written communication is submitted, stating the particular reasons as to why it should not be made available at the public terminal. A judge, either on the judge’s own motion or on the motion of any party, may order all or any portion of any written communication to be removed

from the public terminal at any time. Any written communication will be filed under seal in a non-redacted form. . . .

E.D.Mo. L.R. 83-13.05(B)(4).

The Government moves that “Exhibit A” (Doc. #42, Att. 1) either be made available at the public terminal, or, in the alternative, that defendant comply with the Local Rule 83-13.5(B)(4).

Respectfully submitted,

CARRIE COSTANTIN
Attorney for the United States,
Acting Under Authority Conferred by 28 USC 515

s/ Robert F. Livergood
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CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2017, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's filing system upon the following:

Paul D'Agrosa
Attorney for the Defendant.

s/ Robert F. Livergood
ROBERT F. LIVERGOOD, #35432MO
Assistant United States Attorney